

UNITED STATES DISTRICT COURT
for the
Eastern District of Virginia

United States of America)
v.)
DEKLYN BLAINE BUTLER) Case No. 3:23-mj- 40
)
)
)
)



Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 24, 2021 in the county of Fort Gregg-Adams in the
Eastern District of Virginia, the defendant(s) violated:

Code Section

Offense Description

This criminal complaint is based on these facts:

See attached affidavit.

Continued on the attached sheet.

Reviewed by AUSA/SAUSA:

Heather Hart Mansfield

Complainant's signature

Matthew Marasco, Special Agent, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: June 2, 2023

City and state: Richmond, Virginia

Mark R. Colombell, United States Magistrate Judge

Printed name and title

3:23mj40

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Matthew Marasco, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the Federal Bureau of Investigation (FBI), United States Department of Justice, and have been since September 2019. I am assigned to the Richmond Field Office of the FBI in Richmond, Virginia, and am responsible for conducting investigations pertaining to child exploitation. As part of my duties, I have received training regarding the investigation of federal crimes including, but not limited to, crimes against children, human trafficking, civil rights, and public corruption. By virtue of my employment with the FBI, I have performed a variety of investigative tasks including conducting arrests and executing Federal search warrants. As a Special Agent, I am an investigative or law enforcement officer within the meaning of 18 U.S.C. § 2510(7).

2. I make this affidavit in support of a criminal complaint charging the following individual, DEKLYN BLAINE BUTLER (hereinafter, BUTLER), with the Possession of Child Pornography, in violation of 18 U.S.C. § 2252A(a)(5), on June 24, 2021.

3. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is being submitted for the limited purpose to show merely that there is sufficient probable cause for the requested arrest warrant and does not include all my knowledge about this investigation. I have identified facts that I believe are sufficient to charge BUTLER with the criminal conduct set forth herein.

RELEVANT STATUTORY PROVISIONS

4. **Possession of Child Pornography:** 18 U.S.C. § 2252A(a)(5) provides that it is a crime to knowingly possess, or knowingly access with intent to view, any child pornography that has been mailed, or shipped or transported using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce by any means, including by computer, or that was produced using materials that have been mailed, or shipped or transported in or affecting interstate or foreign commerce by any means, including by computer.

5. **Child pornography or Child abusive material** means any visual depiction, in any format, of sexually explicit conduct where: (A) the production involves the use of a minor engaging in sexually explicit conduct; (B) such visual depiction is a digital or computer-generated image that is substantially indistinguishable from that of a minor engaged in sexually explicit conduct; or (C) such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaged in sexually explicit conduct. *See* 18 U.S.C. § 2256(8).

6. **Visual depictions** include undeveloped film and videotape, and data stored on computer disk or by electronic means, which are capable of conversion into a visual image, and data which are capable of conversion into a visual image that has been transmitted by any means, whether or not stored in a permanent format. *See* 18 U.S.C. § 2256(5).

7. **Minor** means any person under the age of eighteen years. *See* 18 U.S.C. § 2256(1).

8. **Sexually explicit conduct** means actual or simulated: (i) sexual intercourse, including genital-genital, oral-genital, or oral-anal, whether between persons of the same or opposite sex; (ii) bestiality; (iii) masturbation; (iv) sadistic or masochistic abuse; or (v) lascivious exhibition of the genitals or pubic area of any person. *See* 18 U.S.C. § 2256(2).

INITIAL REPORT

9. In June 2021, the Criminal Investigation Division - Fort Lee Resident Agency (CID) located in Fort Lee, Virginia received information from the Cabot Police Department (CPD) in Cabot, Arkansas that Private DEKLYN BLAINE BUTLER, date of birth (DOB) January XX, 2003, then stationed at Fort Lee, Virginia (FLVA) (now Fort Gregg-Adams, VA), had exchanged sexually explicit images and videos with a 14-year-old minor female who resided in Cabot. The minor female disclosed the communication to her grandparents, who made the initial report to CPD.

10. On or about June 17, 2021, the minor female was forensically interviewed. During the interview, she disclosed that BUTLER added her randomly on the application Snapchat in December of 2020, and that the two began talking as friends. BUTLER stated he was 17 years old at the time, and she told him she was 14. Later in the conversation, BUTLER requested images of her breasts, to which she complied. The conversation between BUTLER and the minor female continued and included the exchange of various forms of sexually explicit messages, video chats, images, and videos. BUTLER threatened to ruin her life by sending out the images and videos of her if she did not send him more. The minor female complied with his requests and sent the additional images and videos. She stated BUTLER told her that he used some type of military program to find her and her grandparents, with whom she lives. Shortly thereafter, BUTLER texted the minor female's grandmother. The minor female confessed everything to her grandparents, who called CPD to report the incident.

INTERVIEW OF BUTLER AND FURTHER INVESTIGATION

11. On June 24, 2021, CID conducted a search of BUTLER's barracks room located at Fort Lee (now Fort Gregg-Adams) pursuant to a search warrant. During the search, CID seized several digital evidence items including BUTLER's cellular telephone, a Samsung Galaxy Note.

12. Additionally on June 24, 2021, BUTLER was interviewed by CID. During the interview, BUTLER admitted to exchanging sexually explicit messages, images, and videos with multiple minor females, including a 17-year-old minor victim residing in Minnesota, whom he communicated with on social media (hereinafter, MV1). BUTLER stated MV1 told him that she was 17 years old during the conversation. He described MV1 as a white female, approximately 140 pounds, residing in Minnesota. BUTLER stated he communicated with MV1 on Snapchat and Facebook, and that he saved the images and videos of MV1 in the gallery application on his cellular telephone as well as on Facebook. BUTLER also admitted to engaging in video calls with MV1, during which he asked MV1 to send images of her exposed buttocks, breasts, and vagina. BUTLER stated he shared depictions of his exposed penis and of himself masturbating several times with MV1. BUTLER stated the last time he spoke to MV1 was June 24, 2021.

13. Based on the information from the above interviews, CID conducted additional investigative steps including, but not limited to, serving legal process to Google, Facebook, Inc., Lightspace, Inc., and Snap, Inc for information associated with BUTLER's accounts, conducting interviews of identified potential victims and witnesses, and examining, and reviewing electronic devices belonging to BUTLER, as well as those belonging to several potential victims.

14. On September 28, 2021, CID obtained a search warrant for Snapchat account "deklynbutler19", which was previously identified as belonging to BUTLER.

15. During the course of the investigation, CID corroborated that BUTLER was engaged in sexually explicit online conversations with multiple female individuals, some of which were confirmed to be minors at the time.

16. In July 2022, CID contacted the FBI Richmond Field Office for assistance due to the complex nature and scope of the investigation. CID provided copies of all case documentation to the FBI.

INTERVIEW OF MV1

17. On January 10, 2023, MV1 was interviewed at a local police department in Minnesota. During the interview, MV1 stated she met BUTLER on social media in the summer of 2021, when she was 17 years old, and communicated with him primarily on Snapchat and Facebook. When she first met BUTLER, he identified himself with his actual name, and even provided her with a picture of his driver's license. BUTLER told MV1 he was 18 years old, originally from South Carolina, and was employed with the United States Army in Virginia. MV1 advised that the first nude image or video she sent of herself to BUTLER was consensual, but that he requested it. MV1 felt comfortable with BUTLER, and he began asking for additional images and videos.

18. At some point, BUTLER told MV1 he would contact her parents if she did not send additional nude material of herself. MV1 complied with his requests and sent the additional images and videos, mostly through Snapchat.

19. At the conclusion of the interview, MV1 was shown 11 images previously obtained from BUTLER's electronic devices and social media accounts. The images were screenshots from larger video files depicting a female engaged in various sexual acts, namely masturbation. MV1 reviewed each image and confirmed that all were videos she took of herself in her bedroom at her residence in Minnesota. MV1 stated all of the videos were likely made during the same month based on the color of her hair dye and that she was a minor during that time.

REVIEW OF SNAPCHAT COMMUNICATIONS

20. Law enforcement review of the Snapchat communications between BUTLER and MV1 revealed the exchange of multiple images and videos which were sexual in nature. For example:

- a. On May 11, 2021, MV1 sent BUTLER “583aec24-8179-47-bc-ba38-5c92ace41784.mp4”, an approximately 59-second video which depicts MV1 masturbating with a black dildo.
- b. On May 23, 2021, MV1 sent BUTLER “1bcb8258-e714-49f5-9204-fcbea25e6afa.mp4”, an approximately 59-second video which depicts MV1 masturbating with a black and white dildo, then placing the dildo in her mouth while continuing to masturbate with her fingers.

21. During this time, MV1 was 17 years old and BUTLER was stationed at and residing at Fort Lee, Virginia (now Fort Gregg-Adams, Virginia). Fort Lee, Virginia is within the special territorial jurisdiction of the United States.

REVIEW OF BUTLER'S CELLULAR TELEPHONE

22. Law enforcement review of BUTLER's cellular telephone, a Samsung Galaxy Note 20, Model SM-981U, which was seized from BUTLER by CID on June 24, 2021, pursuant to a search warrant, revealed several video files that appeared to be screen recordings from Snapchat conversations between BUTLER and MV1, who was 17 years old at the time. The screen recordings were sexual in nature. For example:

- a. “Screen_Recording_20210605-221343_Snapchat.mp4”, a video file of approximately three minutes and two seconds in length, depicts MV1 masturbating with her fingers. In a smaller window at the bottom of the screen, an

unidentified male is observed masturbating simultaneously. Only the male's penis is visible.

b. "Screen_Recording_20210530-235052_Snapchat.mp4", a video file of approximately one minute and one second in length, depicts MV1 masturbating with a black dildo.

23. At the time the cellular telephone was seized, BUTLER was stationed at and residing at Fort Lee, Virginia (now Fort Gregg-Adams, Virginia).

CONCLUSION

24. Based on the information detailed above, I respectfully submit there is probable cause to charge DEKLYN BLAINE BUTLER with the Possession of Child Pornography, in violation of 18 U.S.C. § 2252A(a)(5), on June 24, 2021.

Respectfully Submitted,


Matthew Marasco
Special Agent
FBI Richmond Field Office

SUBSCRIBED and SWORN before me this 2nd day of June, 2023.

/s/ MRC
Mark R. Colombell
United States Magistrate Judge

Honorable Mark R. Colombell
United States Magistrate Judge